

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.9192 of 2016**

Arising Out of PS.Case No. -32 Year- 2015 Thana -AADAPUR District-  
EASTCHAMPARAN(MOTIHARI)

- =====
1. Manjay Kumar Son of Gaya Prasad
  2. Alok Kumar @ Alok Mahto Son of Late Bangali Mahto
  3. Shekhar Kumar Son of Rajeshwar Mahto
  4. Awadh Lal Mahto Son of Late Rekha Mahto
  5. Sanjay Kumar Son of Gaya Prasad

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Umesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ram Shankar Das(App)

=====

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      29-02-2016                      Heard learned counsels for the petitioners and the  
  
State.

The petitioners are apprehending arrest in a case registered for the offences punishable under sections 147, 148, 149, 341, 324, 323, 325, 307, 379, 448, 427, 354, 504, 506 of the Indian Penal Code and section 3(1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Prosecution case is that on 06.03.2015 at about 5 PM, the informant being panchayat mukhiya celebrating 'Holi' when the accused person variously armed attacked on the house of the informant and broken the motorcycle. Petitioner no.1 Manjay Kumar abused the informant by calling caste name when



petitioner no.4 Awadhilal Mahto assaulted her whereas petitioner no.3 Alok Mahto tore her sari. It is further alleged that when brother-in-law of the informant came to rescue then petitioner no.5 Sanjay Kumar assaulted him with iron rod causing fracture injury on his finger. Co-accused Anil Mahto snatched gold chain worth Rs.45,000/- when co-accused Shekhar Kumar snatched gold chain worth Rs.15,000/- from the informant. The accused persons also gave life threatening to the husband of the informant.

It is submitted by learned counsel for the petitioners that for a petty dispute the accusation has been levelled. There is counter version of the occurrence also. Moreover, the informant has retracted from initial version and has filed a petition to that effect before the learned court below, the same has been brought on record as annexure-2 to the petition.

The aforesaid facts constitute ground for consideration of prayer for regular bail.

Let the learned Court below consider the prayer for regular bail of the petitioners, if the petitioners surrender within a period of six weeks in connection with Adapur P.S. Case No.32/2015, pending before the learned SDJM, Raxaul, East Champaran at Motihari.

With the above observation, this application is,  
accordingly, disposed off.

**(Dinesh Kumar Singh, J)**

Ashwini/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|